

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

A-S

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/672,776 09/29/00 ONO

F 061045

IM22/0522
SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20037-3213

EXAMINER

BROWN, C

ART UNIT

PAPER NUMBER

1765

DATE MAILED: 05/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

BEST AVAILABLE COPY

Office Action Summary

Application No.
09/672,776

Applicant(s)
Ono

Examiner
Charlotte A. Brown

Art Unit
1765



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 16, 2001
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-9 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

Art Unit: 1765

DETAILED ACTION

1. Applicant's arguments with respect to claims 6-9 have been considered but are moot in view of the new ground(s) of rejection.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasai et al. (US 6,007,592) in view of Streinz et al. (US 6,015,506).

Kasai discloses a polishing composition for an aluminum disk that includes water, an alumina abrasive agent and a polishing accelerator. The polishing accelerator is preferably basic aluminum nitrate. The abrasive agent is alumina. The alumina particles have a mean particle size of 0.1 to 0.4 μm (Column 3, lines 56-62). The alumina has an alumina crystalline structure with an alpha-phase content of 80% to 95% (Column 4, lines 4-16). This reads on the applicant's limitation that the alumina particles have an alpha conversion ratio of from 65% to 90%.

Unlike the claimed invention, Kasai does not teach a method in which the alumina particles have a specific surface area of from 30 to 80 m^2/g .

Streinz discloses a method for polishing rigid disks. The rigid disk can be an aluminum disk. The abrasive used in the chemical mechanical polishing slurry is fumed alumina. The surface

Art Unit: 1765

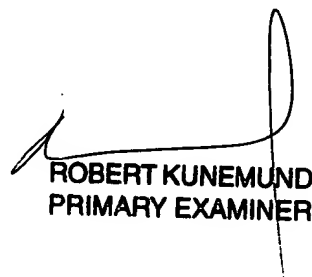
area of the fumed alumina is about 40 m²/g to about 200 m²/g (Column 3, lines 45-64). The abrasive is incorporated into the aqueous medium of the polishing slurry. The slurry is diluted with deionized water or any other acceptable diluent (Column 4, lines 40-50).

It is the Examiner's position that a person having ordinary skill in the art would have found it obvious to modify Kasai with the method of using alumina particles with a specific surface area of from 30 to 80 m²/g as taught by Streinz. The method of using alumina particles with a specific surface area in the polishing composition would have been anticipated in order to reduce the generation of scratches on the polishing surface.

4. Any inquiry concerning this communication from the Examiner should be directed to Charlotte A. Brown whose telephone number is (703) 305-0727.

CAB

May 17, 2001



ROBERT KUNEMUND
PRIMARY EXAMINER